

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
PECOS DIVISION**

**ANNE MITCHELL, and  
VICKILYN GALLE**

**Plaintiffs,  
vs.**

**WINKLER COUNTY AND  
STAN WILEY,  
INDIVIDUALLY, AND IN HIS  
OFFICIAL CAPACITY AS  
ADMINISTRATOR OF THE WINKLER  
COUNTY MEMORIAL HOSPITAL ,  
ROBERT L. ROBERTS JR.,  
INDIVIDUALLY, AS AS SHERIFF,  
OF WINKLER COUNTY, TEXAS,  
ROLANDO G. ARAFILES JR,  
INDIVIDUALLY,  
SCOTT M. TIDWELL, INDIVIDUALLY,  
AND IN HIS OFFICIAL CAPACITY AS  
COUNTY ATTORNEY, AND  
MIKE FOSTEL, INDIVIDUALLY, AND  
IN HIS OFFICIAL CAPACITY AS  
DISTRICT ATTORNEY**

**Defendants.**

**CIVIL ACTION NO. P-09-CV-037-RAJ**

**ORDER DENYING DEFENDANT ROLANDO G. ARAFILES, JR.'S  
12(b)(6) MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT**

On this day, the Court considered the Defendant Rolando G. Arafiles' 12(b)(6) Motion to Dismiss Plaintiffs' First Amended Complaint in the above-styled and numbered cause. The Court finds that the following Order should be entered and should applied to the above-entitled cause. Accordingly,

It is **ORDERED** that Defendant Rolando G. Arafiles Motion to Dismiss Plaintiffs' First Amended Original Complaint for Failure to State a Claim on Which Relief May be Granted be, and

is hereby **DENIED**.

It is so Ordered.

Signed on May \_\_\_\_\_, 2010.

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ROBERT JUNELL  
UNITED STATES DISTRICT JUDGE